

AS

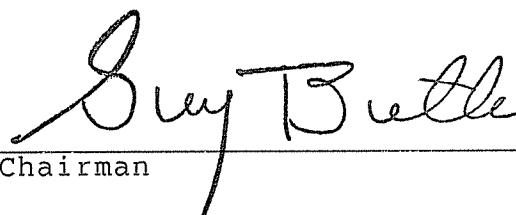


In preparation for assimilation of this information, Staff has proposed a Plan to assist in preparing for a consultation with the FCC. The seven (7) page Plan and its cover sheet are attached to this Order. We hereby adopt the plan in full and incorporate it by reference herein. We note that the Plan is based on the "checklists" provided in the Act and is to be followed in furtherance of the goals of the Act. We hereby reserve the right


to amend this Plan if necessary in the future.

This Order shall remain in full force and effect until
further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Deputy Executive Director

(SEAL)

State of South Carolina

Docket No. 96-018-C-Order No.96-753

Attachment A

RUDOLPH MITCHELL

Chairman

GUY BUTLER

Vice Chairman

CECIL A. BOWERS

Commissioner

WARREN D. ARTHUR, IV

Commissioner

WILLIAM "BILL" SAUNDERS

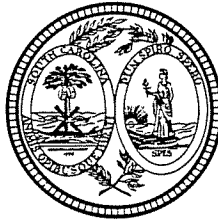
Commissioner

C. DUKES SCOTT

Commissioner

PHILIP T. BRADLEY

Commissioner



Public Service Commission

CHARLES W. BALLENTINE

Executive Director

(803) 737-5120

GARY E. WALSH

Deputy Executive Director

(803) 737-5133

TO: ALL COMMISSIONERS
FROM: GARY E. WALSH, DEPUTY EXECUTIVE DIRECTOR *EW*
DATE: OCTOBER 4, 1996
IN RE: SECTION 271 FEDERAL TELECOMMUNICATIONS ACT OF 1996

WITH THIS MEMO I AM PROVIDING ALL COMMISSIONERS WITH A COPY OF THE STAFF PROPOSED PLAN OF ACTION AS IT RELATES TO SECTION 271 OF THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

I PLAN ON PRESENTING THIS TO THE COMMISSION IN THE COMMISSION MEETING SCHEDULED FOR THE WEEK OF OCTOBER 14, 1996.

SUGGESTED TIMETABLE AND FORMAT FOR ORDER AND HEARING
OF BELL SOUTH'S ENTRY INTO IN-REGION TOLL MARKET

- A. BellSouth will be asked to notify the PSC as soon as possible but not less than 120 days before they apply with the FCC for authority to enter into the interLATA market.
- B. BellSouth will file the responses to the questions that will be attached to the order on the same day when they notify PSC of their decision to apply for authority with the FCC.
- C. BellSouth will file their initial testimony with the application.
- D. A notice will be issued to all interested parties within 5 days after BellSouth notification to the PSC.
- E. All interested parties will have 20 days to respond to notice.
- F. All interested parties will receive copy of the filing within 5 days of their response.
- G. All interested parties will have 20 days to identify issues and issue discoveries to BellSouth.
- H. A pre-hearing conference will be scheduled. A written list of issues will be presented.
- I. BellSouth will have 25 days to respond to discoveries.
- J. All interested parties will have 10 days for clarification of discoveries' issues.
- K. All other parties will pre-file their testimonies 20 days after clarification of issues.
- L. BellSouth will file supplemental testimony the same date when the other parties pre-file their testimonies.
- M. Hearing will be scheduled before filing with the FCC.
- N. At the time evidence is filed with this Commission, BellSouth should provide the material to the U.S. Department of Justice and the FCC. Bell South should work with the Commission to assure confidentiality of information as appropriate.

9. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to the following, pursuant to 271(c)(2)(B)(vii) and applicable rules promulgated by the FCC:
 - (a). 911 and E911 services;
 - (b). directory assistance services to allow the other telecommunications carrier's customers to obtain telephone numbers; and
 - (c). operator call completion services.
10. Provide information to the Commission demonstrating that BellSouth has provided white pages directory listings for customers of other telecommunications carrier's telephone exchange services, pursuant to 271(c)(2)(B)(viii) and applicable rules promulgated by the FCC.
11. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to the telephone numbers for assignment to the other telecommunications carrier's telephone exchange service customers, pursuant to 271(c)(2)(B)(ix) and applicable rules promulgated by the FCC.
12. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to databases and associated signaling necessary for call routing and completion, pursuant to 271(c)(2)(B)(x) and applicable rules promulgated by the FCC.
13. Provide information to the Commission demonstrating that BellSouth has provided number portability, pursuant to 271(c)(2)(B)(xi) and applicable rules promulgated by the FCC.
14. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of section 251(b)(3) of the Telecommunication Act of 1996, pursuant to 271(c)(2)(B)(xii) and applicable rules promulgated by the FCC.
15. Provide information to the Commission demonstrating that BellSouth has provided reciprocal compensation arrangements in accordance with the requirements of section 252(d)(2) of the Telecommunication Act of 1996, pursuant to 271(c)(2)(B)(xiii) and applicable rules promulgated by the FCC.

APPENDIX B

PROVIDE THE FOLLOWING INFORMATION TO THE COMMISSION:

1. Identify the entities that have requested interconnection; unbundled elements or to resell service from BellSouth.
2. Specify types of interconnection, unbundled elements requested, date request made, date BellSouth and entity entered into binding agreement, and provide complete copy of agreement (including prices charged) and proof of State approval.
3. Number of access lines in the state that are served by entity or entities that BellSouth considers to be local competitors compared to number of access lines that BellSouth serves in the state.
4. Scope of geographic areas, and the number and types of customers for which the competitor's services are available compared to BellSouth's scope of geographic area, and the number and types of customers in the state for which BellSouth services are available.
5. Extent to which each competitor is using own facilities, or using, unbundled elements or resold services obtained from BellSouth.
6. The average provisioning intervals and maintenance times for services that BellSouth provides to competitors compared with those it provides itself.
7. Number of locations of BellSouth switches in state that are connected to local loops served by competitors.
8. Number, type and location of switches that BellSouth has in the state.
9. Amount of revenues that BellSouth derived in the most recent year preceding that in which the application is filed, indicating the amounts derived from:
 - a. basic local residential services.
 - b. basic local business services.
 - c. intraLATA toll
 - d. access charges
 - e. other types of services.

10. Any reports, studies or analyses available, and created within the past year preceding the application, that contain market share information of BellSouth and local telephone service competitors; or compare volumes of traffic, revenues of BellSouth and local competitors; or evaluate the likely entry, success or rate of growth of competitors or potential competitors.
11. Description and current status of all complaints made to BellSouth, to the state Commission and FCC or to other governmental authorities by carriers, competitors, or entities that requested interconnection, access or the ability to resell BellSouth services in the state of South Carolina.

ISSUES, INFORMATION AND PROCEDURE FOR ORDER AND HEARING
OF BELL SOUTH'S ENTRY INTO IN-REGION TOLL MARKET

PURPOSE - To fulfill the Commission's responsibility under Section 271(d)(2)(B); to provide consultation to the FCC regarding BOC's compliance with Section 271 for providing in-region toll service.

The following statement requesting that BellSouth notify the Commission of its intent to submit an application to the FCC and instructing Staff to collect information as recommended by the FCC was taken from Docket No. 96-231-C, Order No. 96-469.

"We further hold that a public hearing may be held by the Commission relating to the provisions of Section 271 of the Act, and consistent with any guidelines or recommendations set forth regarding this matter by the Federal Communications Commission. BellSouth is to notify the Commission of its intent to submit an application to the Federal Communications Commission for certification under Section 271 of the Telecommunications Act of 1996 in sufficient time to allow the Commission to conduct their review and hearing. BellSouth is to provide such notification to the Commission in conjunction with any Section 251 or 252 filing which would trigger its application under Section 271. The burden of proof shall be on BellSouth to demonstrate compliance with all requirements of Section 271 of the Act. In addition, we instruct the Commission Staff to collect information as it pertains to requirements under Section 271 consistent with the information deemed necessary under that Section of the Act and as set forth through guidelines or recommendations of the Federal Communications Commission."

The Act requires the FCC to render a decision on a BOC's application within 90 days after receiving it. As stated in Section 271 (d)(2)(B) before making the determination, the FCC shall consult with the State Commission to verify the BOC's compliance.

" (B) Consultation with state commission.--Before making any determination under this subsection, the Commission shall consult with the State Commission of any State that is the subject of the application in order to verify the compliance of the Bell operating company with the requirements of subsection (c).

APPENDIX A

1. Provide information to the Commission demonstrating that BellSouth meets the requirements of section 271(c)(1)(A) of the Telecommunication Act of 1996.
2. Provide information to the Commission demonstrating that BellSouth meets the requirements of section 271(c)(1)(B) of the telecommunications Act of 1996.
3. Provide information to the Commission demonstrating that BellSouth has provided interconnection in accordance with requirements of sections 251(c)(2) and 252(d)(1) of the Telecommunications Act of 1996, pursuant to 271(c)(2)(B)(i) and applicable rules promulgated by the FCC.
4. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(1) of the Telecommunications Act of 1996, pursuant to 271(c)(2)(B)(ii) and applicable rules promulgated by the FCC.
5. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to the poles, ducts, conduits, and right-of-way owned or controlled by BellSouth at just and reasonable rates in accordance with the requirements of sections 224 of the Communications Act of 1934 as amended by the Telecommunications Act of 1996, pursuant to 271(c)(2)(B)(iii) and applicable rules promulgated by the FCC.
6. Provide information to the Commission demonstrating that BellSouth has unbundled the local loop transmission between the central office and the customer's premises from local switching or other services, pursuant to 271(c)(2)(B)(iv) and applicable rules promulgated by the FCC.
7. Provide information to the Commission demonstrating that BellSouth has unbundled the local transport on the trunk side of a wireline local exchange carrier switch from switching or other services, pursuant to 271(c)(2)(B)(v) and applicable rules promulgated by the FCC.
8. Provide information to the Commission demonstrating that BellSouth has unbundled local switching from transport, local loop transmission, or other services, pursuant to 271(c)(2)(B)(vi) and applicable rules promulgated by the FCC.

16. Provide information to the Commission demonstrating that BellSouth has provided telecommunications services available for resale in accordance with the requirements of section 251(c)(4) and 252(d)(3) of the Telecommunication Act of 1996, pursuant to 271(c)(2)(B)(xiv) and applicable rules promulgated by the FCC.